

August 14, 2024

Via CM/ECF

Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street
New York, NY 10007

**Re: *Harris v. Sheet Metal Workers' National Pension Fund*
Case No. 1:24-cv-01219-JMF
Letter Motion for Adjournment of Initial Scheduling Conference**

Dear Judge Furman:

The undersigned represents Sheet Metal Workers' National Pension Fund, Defendant in the above-referenced matter ("Defendant"). Pursuant to Local Civil Rule 7.1(d) and Rules 2.D. and 4.A. of Your Honor's Individual Rules and Practices in Civil Cases ("IR"), the undersigned respectfully moves for an adjournment of the initial scheduling conference from August 22, 2024, until a date that is on or after September 12, 2024, with the resulting due date for the case management plan and joint letter to be seven days prior to such new date for the conference.

In support of its motion, pursuant to IR 2.D., Defendant states as follows:

1. The current date for the conference is August 22, 2024. Defendant respectfully requests a date for the conference on or after September 12, 2024, and a date for submission of the case management report and joint letter that is seven dates before the rescheduled conference.
2. This is the first request for adjournment of this event. Defendant previously requested and was granted an extension of time to file its answer to Plaintiff's complaint, ECF No. 19.
3. The additional time is requested both to allow the parties to further meet and confer regarding the case management plan and joint letter, and to accommodate a scheduling conflict for Defendant's lead counsel, who will be traveling internationally during the week of August 19, 2024 and a portion of the following week. Based on initial communications with Plaintiff's counsel, it is clear that more time is needed to discuss the schedule and how it relates to the nature of this ERISA benefits case. The requested extension will allow for sufficient time to complete such dialogue, taking into account the above-described scheduling conflict.
4. Plaintiff's counsel consents to the relief requested.
5. No other appearance or event is scheduled after the initial pretrial conference on August 22, 2024.

Thank you in advance for your consideration of this matter.

/s/ Francis X. Nolan, IV

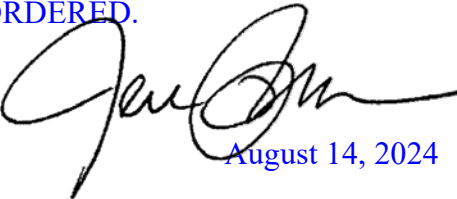
Frank Nolan

Eversheds Sutherland (US) LLP
Attorney for Defendant

cc: James S. Kaplan (via CM/ECF)
Attorney for Plaintiff

The initial pretrial conference, presently scheduled for August 22, 2024, is hereby ADJOURNED to **September 12, 2024, at 4:00 pm**. The Clerk of Court is directed to terminate ECF No. 28.

SO ORDERED.



August 14, 2024